

## **Act 165 - Prevention of Childhood Lead Poisoning**

### **ACT 165, An Act To Prevent Childhood Lead Poisoning In Rental Housing and Child Care Facilities**

- Act 165 places new responsibilities on owners of buildings where licensed or registered child care facilities are located. Under this law, property owners must do the following unless a Vermont licensed lead inspector has determined that the property or unit is lead-free.
- If you rent a building where your licensed or registered child care facility is located, be sure that your landlord receives this notice.
- If you own a building where a licensed or registered child care facility is located, you must:
  - a. provide written information on lead paint hazards to current and prospective tenants as required by federal and state legislation.
  - b. post a notice in the building asking tenants to report deteriorated paint to the owner or agent.
- In addition, you or your maintenance staff must have completed a Vermont Health approved course to perform Essential Maintenance Practices. Training course participants will learn how to perform the Essential Maintenance Practices outlined below. The written information and notice for posting, as required by parts A and B above will be distributed at the training course and available thereafter from the Childhood Lead Poisoning Prevention Program (1-800-439-8550)
- By January 1, 1997:
  - 1. perform a visual on-site inspection of interior and exterior surfaces to identify deteriorated paint.
  - 2. install window well inserts in all window wells.
- After January 1, 1997:
  - 1. stabilize paint, within 30 days of identification or report by the tenant, if more than one square foot of deteriorated paint is found on any interior surface or any exterior porch surface.
  - 2. stabilize paint or restrict access by children if more than one square foot of deteriorated paint is found on any exterior surface not associated with a porch or accessible by children.
  - 3. take reasonable precautions when disturbing paint, pursuant to VDH guidelines, which includes not utilizing the following prohibited practices: burning, water blasting, dry scraping, power sanding or sandblasting.

4. use good work practices and safety precautions to prevent the spread of dust.
  5. perform specialized cleaning, including the use of lead specific detergents (such as trisodium phosphate) and devices that are effective in the removal of lead-contaminated dust (such as vacuum cleaners with high efficiency particulate accumulator {HEPA} filters) at the conclusion of work and annually thereafter.
- In addition, each year the owner must sign an affidavit indicating the EMPs have been completed and file a copy with their insurance carrier and the Vermont Health.
  - The law also has other provisions relating to Vermont Department of Health authority to inspect units, issuance of EMP training certificates, owner liability, and future rule making authority. Further information can be obtained by calling the Childhood Lead Poisoning Prevention Program at the Vermont Department of Health (1-800-439-8550)